

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In Re: ) Chapter 7 Case No. 16-10250  
 )  
Dean Maynard Boland ) Bankruptcy Judge Jessica Price Smith  
 )  
Debtor )

**SUPPLEMENTAL MEMORANDUM IN OPPOSITION**  
**TO THE DEBTOR'S MOTION TO AVOID JUDGMENT LIENS**

Before the Court is the debtor's motion to avoid the judgment liens of Jane Doe and Jane Roe.

Jane Doe and Jane Rowe are creditors in this case. On April 14, 2016, they filed a complaint under 11 U.S.C. §523 to determine the dischargeability of the money the debtor owes them. The case is entitled *Jane Doe, et al. vs. Dean Maynard Boland*, and is Adversary case no. 16-01058 on the Court's docket.

Counsel for Jane Doe and Jane Roe was told by the Clerk of Courts that, unless a complaint objecting to the debtor's discharge is filed under 11 U.S.C. 727, the Court will ***automatically*** issue a general discharge to the debtor long before the Adversary proceeding is decided; a complaint filed under §523 will not delay the issuance of the general discharge.

Until the Court decides the adversary, the debt to creditors Doe and Roe are not discharged, but all other debts will be discharged –and the general discharge will not, according to the Clerk of Courts, specifically mention or exclude the debts to creditors Doe and Roe.

Granting the debtor's motion is, therefore, premature. But, if Court grants the debtor's motion (the debtor is an attorney), he can take the general discharge and file it along with the order avoiding the judgment lien, with the Cuyahoga County Recorder.

The debtor can then encumber or dispose of his real estate –again, long *before* the Adversary is decided, thus making the judgment liens of creditors Doe and Roe's worthless.

So, given the record here, the Court should either (1) defer ruling on the motion until the Adversary is decided, or (2) deny the motion without prejudice to refiling at a later date after the Adversary is decided.

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Certificate of Service

I certify that on April 24, 2016, a true and exact copy of this document was served:

Via the Courts Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

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/s/ Sheldon Stein  
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